

Message Text

UNCLASSIFIED

PAGE 01 STATE 098642
ORIGIN L-03

INFO OCT-01 EUR-12 ISO-00 IO-13 AF-10 ARA-10 EA-09
NEA-10 OIC-02 (ISO) R

DRAFTED BY L/T:AWROVINE:KG
APPROVED BY L/T:AWROVINE
L - SMSCHWEBEL

-----021941Z 097565 /40
O 021712Z MAY 77
FM SECSTATE WASHDC
TO AMEMBASSY VIENNA IMMEDIATE

UNCLAS STATE 098642

E.O. 11652: N/A

TAGS: UN, PFOR

SU ECT: UN CONFERENCE ON SUCCESSION OF STATES

REF: VIENNA 3269; STATE 92961; VIENNA 3357

1. AS IS OBVIOUS FROM DEPARTMENT'S 92961, INTENT OF
ARTICLE 22 BIS MISUNDERSTOOD. WE REGRET THE DELAY IN
RESPONDING TO THE PROPOSAL AS EXPLAINED IN VIENNA 3357.

2. DEPT. IS NOT ENTHUSIASTIC ABOUT ARTICLE 22 BIS:

A. IT IS OFTEN DIFFICULT, IF NOT IMPOSSIBLE FOR THE
DEPOSITARY TO DETERMINE WITH ANY CERTAINTY WHETHER A
PARTICULAR TREATY HAD BEEN APPLIED TO THE TERRITORY
IN QUESTION. THE FORMER COLONIAL POWER OR EVEN THE
NEW STATE MAY BE IN A BETTER POSITION TO MAKE THAT
DETERMINATION IN QUESTIONABLE CASES.

B. DEPARTMENT BELIEVES IT WOULD ESTABLISH A POOR PRECEDENT
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 098642

TO CREATE DEPOSITARY OBLIGATIONS FOR STATES IN A TREATY FOR
WH H SUCH STATES ARE NOT THE DESIGNATED DEPOSITARY,
ESPECIALLY WHEN THE OBLIGATIONS GO WELL BEYOND THE COMMONLY
ACCEPTED FUNCTIONS OF A DEPOSITARY POWER AS SET FORTH IN
ARTICLE 77 OF THE VIENNA TREATIES CONVENTION.

3. ON THE OTHER HAND, WE RECOGNIZE THAT THERE ARE NOT

LIKELY TO BE MANY MORE NEWLY INDEPENDENT STATES AND
THAT THEREFORE THE ADDITIONAL BURDEN IMPOSED PURSUANT
TO ARTICLE 22 BIS WOULD NOT BE INTOLERABLE, AS IT WOULD
HAVE BEEN SEVERAL YEARS AGO.

4. DELEGATION SHOULD ABSTAIN ON ARTICLE 22 BIS AND
ABSTAIN ON A BEST ENDEAVORS RESOLUTION ADOPTED SEPA-
RATELY AND NOT PART OF THE CONVENTION.
VANCE

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SECESSION, AGREEMENT DRAFT, INSTRUCTIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 02-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE098642
Document Source: CORE
Document Unique ID: 00
Drafter: AWROVINE:KG
Enclosure: n/a
Executive Order: N/A
Errors: n/a
Expiration:
Film Number: D770153-0568
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t197705103/aaaadljg.tel
Line Count: 71
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 2033e287-c288-dd11-92da-001cc4696bcc
Office: ORIGIN L
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 77 VIENNA 3269, 77 STATE 92961, 77 VIENNA 3357
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 14-Oct-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2329167
Secure: OPEN
Status: <DBA CHANGED> mcm 20041116
Subject: UN CONFERENCE ON SUCCESSION OF STATES
TAGS: PFOR, US, UN
To: VIENNA
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/2033e287-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009